



Montgomery County, Virginia

CONSERVATION (C-1)

C-1 District: Conservation (C-1) district provides recreational, conservation, and scenic areas, including all forest and mountain lands in the Jefferson National Forest, for Montgomery County residents and visitors. According to the Zoning Ordinance, the Conservation District is intended to facilitate water and natural resource conservation, to assist with United States Forest Service conservation programs, encourage the closure of national forest boundaries into one contiguous conservation area, and to retain the open space areas of the county that are deemed non amenable to good development practices (including areas with excessive slopes, wetlands, and floodplains).

Qualifying lands for inclusion in the C-1 district are those that are currently zoned C-1 on the date of adoption (December 13, 1999) of the ordinance and other lands within Montgomery County mapped as rural or resource stewardship in the Comprehensive Plan. A district must have a minimum of 20 acres of contiguous land to be considered for the C-1 designation.

What can I do by right in C-1 district?

There are uses that are designated as "by right" which means you do not have to apply for a special use permit. The uses do, however, have to comply with all approved plans and permits, development standards, and performance standards included in the 1999 Montgomery County Zoning Ordinance and with all other applicable regulations. The "by right" uses include:

- Accessory Building under 1,200 sq. feet and less than 18 ft. in height
- Agriculture
- Agriculture, small scale
- Bed & Breakfast, homestay
- Cemetery
- Dwelling, single family
- Farm Enterprise
- Game preserve
- Home occupation
- Manufactured Home, Class A & B
- Natural Area
- Public Utility Lines, water, sewer and other
- Pet, Farm
- Pet, Household
- Telecommunications Tower, Attached
- Temporary Healthcare Structure
- Sawmill, Temporary
- Veterinary practice, animal hospital

What uses require a special use permit?

Some uses are allowed in the C-1 district with the permission of the Board of Supervisors through the Special Use Permit process (applications available from the Planning Dept.). These include:

- Campground
- Bed & Breakfast Inn
- Parks, Unlighted
- Playground, unlighted
- Structure over sixty-five (65) feet in height
- Telecommunications tower, free-standing

In addition, a special use permit is required from the Board of Zoning Appeals for the following:

- Accessory Structures greater than 1,200 sq. ft in area and/or 18 ft in height

All other uses are prohibited unless the land is rezoned to an appropriate zoning designation for the use. The Conservation district (C-1) is meant to help preserve undeveloped open space in Montgomery County, facilitate the conservation of water and other natural resources, and aid the conservation efforts of the USFS.

Conservation Easements

Under the new ordinance, a conservation easement is defined as an easement granting a right or interest in real property that retains land or water areas predominately in their natural, scenic, open, or wooded condition, preserving such areas as suitable habitat for fish, plants, or wildlife, or maintaining existing land uses.

In a conservation easement, the land remains yours and allows you to define current and future use. For example, if you have thirty acres of wooded land that has been in your family for generations, and you would like to see the character of the property preserved for future generations of your family. A conservation easement allows you either prohibit or restrict development in later years. You design the easement to fit your desires and the nature of the property. It does not limit your use or your right to dispose of the land as long as use fits within the terms of the

easement. In addition, there are tax benefits from establishing a conservation easement. Information on conservation easements is available from the New River Land Trust or the Virginia Outdoors Foundation.

Building & Lot Requirements

Each zoning district has different lot and building requirements; which are meant to insure the compatibility of new development with the existing development in the surrounding area.

Minimum Lot Size

2.5 Acres

Lot Access

Lots must be accessible from a VDOT road or from a hard-surface road designed by a professional engineer to accommodate projected volumes, loads, and vehicle types and must be approved by the Zoning Administrator. There are two exceptions:

- 1) Three (3) lots divided from a parent parcel may be served by a private access easement at least forty (40) feet in width and connected to a road in the VDOT system,
- 2) A lot in a family subdivision may use a 20 foot easement to connect the lot to a road currently in the VDOT system.

Maximum Coverage

No more than 20% of lot may be covered by buildings or other impervious surfaces.

Minimum Width

120 feet at the minimum setback line of the front yard. Frontage requirements for family subdivisions and public utilities or public water and sewer installation lots shall be in accord with the Montgomery County Zoning and Subdivision Ordinance.

Maximum Length/Width Ratio

Five to one (5:1) for any lot less than 20 acres in area.

Minimum Yards

Front: 40 feet (also refer to additional setback requirements pertaining to residential uses near intensive agricultural operations)

Side 15 feet for each principal structure

Rear: 40 feet

Accessory Buildings: no accessory building may be located closer than 10 feet to a side or rear lot line.

(Setbacks shall be measured from property lines not the edge of pavement.)

Maximum Building Height

No building or structure, except for exempted structures provided for in Section 1-205.B. of the Zoning Ordinance, shall exceed 40 feet in height, as defined, except by Special Use Permit and that for every 1 foot above 40 feet, the building or structure shall be set back an additional 2 feet up to a maximum of 100 feet.

Sliding Scale Requirements:

As with the Agriculture (A-1) district, the Conservation district incorporates a sliding scale in order to maintain lower density. The sliding scale and the number of allowable subdivisions are based on the amount of land in the parent parcel as of December 13, 1999.

Permissible Density: Sliding Scale- Conservation District

Size of Parent Parcel	Number of Permitted Lots
Less than 2.5 acres	0 lots
Less than 5.0 acres	1 lot
Less than 7.5 acres	Up to 2 lots
7.5 to 10.0 acres	Up to 3 lots
More than 10.01 acres	Add 1 lot per additional 30 acres over the first 10 acres

**For additional information contact:
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A zoning permit and/or site plan may be required to proceed with the uses listed on this data sheet. See section 10-53 of the Montgomery County Code, or call the Planning Department, to determine the required development approvals.

This sheet is intended to only be a guide for development regulations in this zoning district. Please see Chapter 10 of the Montgomery County Code for the specific regulations. The full texts of the zoning and subdivision ordinances are available at the Planning Department Webpage or at www.municode.com. 3.29.2012